

**PATENT APPLICATION**  
**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of

Docket No: Q93459

Joao Luis Marques Pereira MONTERIRO, et al.

Appln. No.: 10/575,867

Group Art Unit: 1743

Confirmation No.: 3819

Examiner: not yet assigned

Filed: June 26, 2007

For: MULTITAXIAL UNIVERSAL TESTING MACHINE

**2<sup>nd</sup> REQUEST FOR CORRECTED OFFICIAL FILING RECEIPT**

**ATTN:** Office of Initial Patent Examination  
Filing Receipt Correction  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

We enclose a copy of the Official Filing Receipt for the above-identified application and request the following correction:

Applicants: Joao Luis Marques Pereira Monteiro,	Guimaraes, PORTUGAL
Ana Maria Moreira Ferreira Da Rocha,	Guimaraes, PORTUGAL
Mario Filipe Araujo Goncalves Lima,	Braga, PORTUGAL
Julio Mauel de Sousa Barreiros Martins,	Braga, PORTUGAL
Mario <del>Duare</del> <u>Duarte</u> de Araujo,	Braga, PORTUGAL
Carlos Alberto Caridade Monteiro,	Braga, PORTUGAL
Fernando Jorge De Castro Vieira Mendes,	Braga, PORTUGAL

REQUEST FOR CORRECTED OFR  
U.S. Appln. No.: 10/575,867

Attorney Docket No.: Q93459

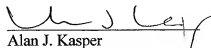
Respectfully submitted,

SUGHRUE MION, PLLC  
Telephone: (202) 293-7060  
Facsimile: (202) 293-7860

WASHINGTON OFFICE

**23373**

CUSTOMER NUMBER

  
Alan J. Kasper  
Registration No. 25,426

Date: January 17, 2008



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address COMMISSIONER FOR PATENTS  
P.O. Box 1459  
Alexandria, Virginia 22313-1459  
www.uspto.gov

APPLICATION NUMBER	FILING or 371(c) DATE	GRP ART UNIT	FIL FEE REC'D	ATTY.DOCKET.NO	TOT CLAIMS	IND CLAIMS
10/575,867	06/26/2007	2855	1030	Q93459	7	2

CONFIRMATION NO. 3819

CORRECTED FILING RECEIPT



23373  
SUGHRUE MION, PLLC  
2100 PENNSYLVANIA AVENUE, N.W.  
SUITE 800  
WASHINGTON, DC 20037

Date Mailed: 11/29/2007

Receipt is acknowledged of this non-provisional patent application. The application will be taken up for examination in due course. Applicant will be notified as to the results of the examination. Any correspondence concerning the application must include the following identification information: the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Filing Receipt Corrections. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections

## Applicant(s)

Joao Luis Marques Pereira Monteiro, Guimaraes, PORTUGAL;  
Ana Maria Moreira Ferreira Da Rocha, Guimaraes, PORTUGAL;  
Mario Filipe Araujo Goncalves Lima, Guimaraes, PORTUGAL;  
Julio Manuel de Sousa Barreiros Martins, Braga, PORTUGAL;  
Duarte Mario Duarte de Araujo, Braga, PORTUGAL;  
Carlos Alberto Caridade Monteiro Couto, Braga, PORTUGAL;  
Fernando Jorge De Castro Vieira Mendes, Braga, PORTUGAL;

## Assignment For Published Patent Application

Universidade Do Minho de Largo do Paco, Braga, PORTUGAL

Power of Attorney: The patent practitioners associated with Customer Number 23373

## Domestic Priority data as claimed by applicant

This application is a 371 of PCT/PT04/00026 10/28/2004

## Foreign Applications

PORTUGAL PT 103034 10/28/2003

If Required, Foreign Filing License Granted: 08/22/2007

The country code and number of your priority application, to be used for filing abroad under the Paris Convention, is **US 10/575,867**

Projected Publication Date: 01/31/2008

Non-Publication Request: No

Early Publication Request: No

Title

Multiaxial Universal Testing Machine

Preliminary Class

073

## PROTECTING YOUR INVENTION OUTSIDE THE UNITED STATES

Since the rights granted by a U.S. patent extend only throughout the territory of the United States and have no effect in a foreign country, an inventor who wishes patent protection in another country must apply for a patent in a specific country or in regional patent offices. Applicants may wish to consider the filing of an international application under the Patent Cooperation Treaty (PCT). An international (PCT) application generally has the same effect as a regular national patent application in each PCT-member country. The PCT process simplifies the filing of patent applications on the same invention in member countries, but **does not result in a grant of "an international patent"** and does not eliminate the need of applicants to file additional documents and fees in countries where patent protection is desired.

Almost every country has its own patent law, and a person desiring a patent in a particular country must make an application for patent in that country in accordance with its particular laws. Since the laws of many countries differ in various respects from the patent law of the United States, applicants are advised to seek guidance from specific foreign countries to ensure that patent rights are not lost prematurely.

Applicants also are advised that in the case of inventions made in the United States, the Director of the USPTO must issue a license before applicants can apply for a patent in a foreign country. The filing of a U.S. patent application serves as a request for a foreign filing license. The application's filing receipt contains further information and guidance as to the status of applicant's license for foreign filing.

Applicants may wish to consult the USPTO booklet, "General Information Concerning Patents" (specifically, the section entitled "Treaties and Foreign Patents") for more information on timeframes and deadlines for filing foreign patent applications. The guide is available either by contacting the USPTO Contact Center at 800-786-9199, or it can be viewed on the USPTO website at <http://www.uspto.gov/web/offices/pac/doc/general/index.html>.

For information on preventing theft of your intellectual property (patents, trademarks and copyrights), you may wish to consult the U.S. Government website, <http://www.stopfakes.gov>. Part of a Department of Commerce initiative, this website includes self-help "toolkits" giving innovators guidance on how to protect intellectual property in specific countries such as China, Korea and Mexico. For questions regarding patent enforcement issues, applicants may call the U.S. Government hotline at 1-866-999-HALT (1-866-999-4158).

## LICENSE FOR FOREIGN FILING UNDER

Title 35, United States Code, Section 184

Title 37, Code of Federal Regulations, 5.11 & 5.15

### GRANTED

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as

set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Bureau of Industry and Security, Department of Commerce (15 CFR parts 730-774); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

#### **NOT GRANTED**

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).

## Assignment

Whereas, We, João Luís Marques Pereira MONTEIRO, of Rua Pousada de Dentro, 105, 4º Centro, P-4800-056 Guimaraes (PT), Ana Maria Moreira Ferreira DA ROCHA, of Rua Pedro Nunes, 14, P-4800-019 Guimaraes (PT), Mário Filipe Araújo Gonçalves LIMA, of Rua Gil Vicente, 25, P-4715-193 Braga (PT), Júlio Manuel de Sousa Barreiros MARTINS, of Rua Gil Vicente, 29, P-4715-193 Braga (PT), Mário Duarte de ARAUJO, of Casa do Alto, Cedofeita, adaufe, P-4710-053 Braga (PT), Carlos Alberto Caridade Monteiro COUTO, of Rua Luis Antonio Verney, 23, P-4710-163 Braga, and Fernando Jorge De Castro Vieira MENDES of Rua Gil Vicente, 52E P-4715-193 Braga (PT), respectively, hereinafter called assignor(s), have invented certain improvements in MULTIAxIAL UNIVERSAL TESTING MACHINE and executed an application for Letters Patent in the United States of America therefor on \_\_\_\_\_; and

Whereas, UNIVERSIDADE DO MINHO, Largo do Paco, P-4704-320 Braga (PT) (assignee), desires to acquire the entire right, title, and interest in the application and invention, and to any United States patents to be obtained therefor;

Now therefore, for valuable consideration, receipt whereof is hereby acknowledged,

I/We, the above named assignor(s), hereby sell, assign and transfer to the above named assignee, its successors and assigns, the entire right, title and interest in the application and the invention disclosed therein for the United States of America, including the right to claim priority under 35 U.S.C. §119, and I/we request the Director of the U.S. Patent and Trademark Office to issue any Letters Patent granted upon the invention set forth in the application to the assignee, its successors and assigns; and I/we will execute without further consideration all papers deemed necessary by the assignee in connection with the United States application when called upon to do so by the assignee.

We hereby authorize and request our attorneys SUGHRUE MION, PLLC of 2100 Pennsylvania Avenue, NW, Washington, DC 20037-3213 to insert here in parentheses (Application number \_\_\_\_\_ and Confirmation number \_\_\_\_\_, filed \_\_\_\_\_) the application number and filing date of said application when known.

Date: 14/05/07 *[Signature]*  
s/João Luís Marques Pereira MONTEIRO

Date: 14/05/07 *[Signature]*  
s/Ana Maria Moreira Ferreira DA ROCHA

Date: 14/05/07 *[Signature]*  
s/Mário Filipe Araújo Gonçalves LIMA

Date: 14/05/07 *[Signature]*  
s/Júlio Manuel de Sousa Barreiros MARTINS

Date: 14/5/07 Mário Duarte  
s/Mário Duarte de ARAÚJO

Date: 14/5/07 Carlos Alberto Caridade Monteiro  
s/Carlos Alberto Caridade Monteiro COUTO

Date: 14/05/07 Fernando Jorge de Castro Vieira  
s/Fernando Jorge De Castro Vieira MENDES

(Legalization not required for recording but is prima facie evidence of execution under 35 U.S.C. §261)

**DECLARATION AND POWER OF ATTORNEY****INVENTOR'S DECLARATION**

As a below named inventor, I hereby declare that: My residence, mailing address, and citizenship are as stated below next to my name. I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**MULTIAXIAL UNIVERSAL TESTING MACHINE**

the application of which

☐ is attached hereto

OR

☒ was filed on October 28, 2004 as United States Application  
Number or PCT International Application Number PCT/PT2004/000026  
and was amended on \_\_\_\_\_

(if applicable)

I hereby state that I have reviewed and understand the contents of the above identified application, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, including for continuation-in-part application(s), material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority under 35 U.S.C. 119(a)-(d) or (f), or 365(b) of any foreign application(s) for patent, inventor's or plant breeder's rights certificate(s), or 365(a) of any PCT international application(s) which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application(s) for patent, inventor's or plant breeder's rights certificate(s), or any PCT international application(s) having a filing date before that of the application on which priority is claimed.

Prior Application Number(s)	Country	Filing Date	Priority Claimed	
			Yes	No
PT 103034	Portugal	October 28, 2003	<input checked="" type="checkbox"/>	<input type="checkbox"/>

I hereby claim benefit under 35 United States Code §119(e) of any United States provisional application(s) listed below.

Application Number(s)	Filing Date
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I hereby claim benefit under 35 United States Code §120 of any United States application(s) or §365(c) of any PCT International application(s) designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in a listed prior United States or PCT International application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge my duty to disclose any information material to the patentability of this application as defined in 37 C.F.R. 1.56 which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

Prior U.S. or International Application Number(s)	U.S. or International Filing Date	Status
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I hereby appoint all attorneys of **SUGHRUE MION, PLLC** who are listed under the USPTO Customer Number shown below as my attorneys to prosecute this application and to transact all business in the United States Patent and Trademark Office connected therewith, recognizing that the specific attorneys listed under that Customer Number may be changed from time to time at the sole discretion of Sughrue Mion, PLLC, and request that all correspondence about the application be addressed to the address filed under the same USPTO Customer Number.

WASHINGTON OFFICE

**23373**

CUSTOMER NUMBER

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.



**NAME OF SOLE OR FIRST INVENTOR:**

Given Name (first and middle [if any])		João Luis Marques Pereira		Family Name or Surname		MONTEIRO	
Inventor's Signature				Date			
Residence: City		Guimarães		State		Country Portugal	
Citizenship		Portugal					

Mailing Address: Rua Pedro Nunes, 14

City		Guimarães		State		Zip P-4800-019		Country Portugal	
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**NAME OF SECOND INVENTOR:**

Given Name (first and middle [if any])		Ana Maria Moreira Ferreira		Family Name or Surname		DA ROCHA	
Inventor's Signature				Date			
Residence: City		Guimarães		State		Country Portugal	
Citizenship		Portugal					

Mailing Address: Rua Pedro Nunes, 14

City		Guimarães		State		Zip P-4800-019		Country Portugal	
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**NAME OF THIRD INVENTOR:**

Given Name (first and middle [if any])		Mário Filipe Araújo Gonçalves		Family Name or Surname		LIMA	
Inventor's Signature				Date			
Residence: City		Braga		State		Country Portugal	
Citizenship		Portugal					

Mailing Address: Rua Gil Vicente, 25

City		Braga		State		Zip P-4715-193		Country Portugal	
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**NAME OF FOURTH INVENTOR:**

Given Name (first and middle [if any])		Júlio Manuel de Sousa Barreiros		Family Name or Surname		MARTINS	
Inventor's Signature				Date			
Residence: City		Braga		State		Country Portugal	
Citizenship		Portugal					

Mailing Address: Rua Gil Vicente, 29

City		Braga		State		Zip P-4715-193		Country Portugal	
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**NAME OF FIFTH INVENTOR:**

Given Name (first and middle [if any])		Mário Duarte de		Family Name or Surname		ARAÚJO	
Inventor's Signature				Date			
Residence: City		Braga		State		Country Portugal	
Citizenship		Portugal					

Mailing Address: Casa do Alto, Cedofeita, adufe

City		Braga		State		Zip P-4710-053		Country Portugal	
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**NAME OF SIXTH INVENTOR:**

Given Name (first and middle [if any]) Carlos Alberto Caridade Monteiro		Family Name or Surname COUTO	
Inventor's Signature <i>Carlos Alberto Monteiro</i>		Date	
Residence: City Braga	State	Country Portugal	Citizenship Portugal
Mailing Address: Rua Luis António Verney, 23			
City Braga	State	Zip P-4710-163	Country Portugal

**NAME OF SEVENTH INVENTOR:**

Given Name (first and middle [if any]) Fernando Jorge De Castro Vieira		Family Name or Surname MENDES	
Inventor's Signature <i>Fernando Jorge de Castro Vieira</i>		Date	
Residence: City Braga	State	Country Portugal	Citizenship Portugal
Mailing Address: Rua Gil Vicente, 52E			
City Braga	State	Zip P-4715-193	Country Portugal